

RENTON CITY COUNCIL
Regular Meeting

August 3, 2009
Monday, 7 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Law called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

**ROLL CALL OF
COUNCILMEMBERS**

RANDY CORMAN, Council President; GREG TAYLOR, RICH ZWICKER, TERRI BRIERE, KING PARKER, DON PERSSON, MARCIE PALMER.

CITY STAFF IN ATTENDANCE

DENIS LAW, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; ALEX PIETSCH, Community and Economic Development Administrator; GREGG ZIMMERMAN, Public Works Administrator; SUZANNE DALE ESTEY, Economic Development Director; PREETI SHRIDHAR, Communications Director; BETTE ANDERSON, Library Director; LAUREEN NICOLAY, Senior Planner; ANGIE MATHIAS, Associate Planner; DEPUTY CHIEF ROBERT VAN HORNE, Fire & Emergency Services Department; COMMANDER FLOYD ELDRIDGE, Police Department.

PROCLAMATION

Renton Welcomes Seahawk
Fans to Training Camp Month
- August 2009

A proclamation by Mayor Law was read declaring the month of August, 2009, to be "Renton Welcomes Seahawk Fans to Training Camp Month" in the City of Renton and encouraging all citizens to join in this special observance.
MOVED BY BRIERE, SECONDED BY PERSSON, COUNCIL CONCUR IN THE PROCLAMATION. CARRIED.

Mike Flood, Vice President of Community Outreach for the Seattle Seahawks, accepted the proclamation with appreciation. He remarked that the Seahawks value their partnership with a City that is united in support of its citizens and businesses.

PUBLIC MEETINGS

Annexation: Maplewood
Heights Elementary School,
Jericho Ave NE & SE 2nd PL

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Law opened the public meeting to consider the 10% Notice of Intent to Annex petition for the proposed Maplewood Heights Elementary School Annexation; 8.67 acres, located in the vicinity of Jericho Ave. NE and SE 2nd PL.

Associate Planner Angie Mathias reported that the annexation site is within the City's potential annexation area, and it contains a street right-of-way, one elementary school, and small unregulated slopes. She remarked that a Class IV stream is in proximity to the annexation site, but is not located on the property. Ms. Mathias stated that public services are currently provided by Fire District #25, Water District #90, Renton sewer service, and the Renton School District.

Reviewing the site's zoning, Ms. Mathias stated that the existing King County zoning is R-4 (four dwelling units per gross acre). She stated that the City's Comprehensive Plan designates the site as Residential Low Density and that the area was pre-zoned as R-4 (four dwelling units per net acre) in 2007.

Ms. Mathias reported that the proposed annexation is generally consistent with City annexation policies and Boundary Review Board objectives. Regarding the fiscal impact analysis, she stated that a slight deficit of \$1,338 is anticipated due to street maintenance costs.

Regarding department comments, Ms. Mathias indicated that there may be a need for occasional police response at the school, but that the Police Department would not need to hire additional full-time employees.

Public comment was invited. There being none, it was MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL CLOSE THE PUBLIC MEETING. CARRIED.

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL APPROVE THE REQUEST TO WAIVE THE ANNEXATION FEE, ACCEPT THE 10% NOTICE OF INTENT PETITION FOR THE MAPLEWOOD HEIGHTS ELEMENTARY SCHOOL ANNEXATION AND AUTHORIZE THE CIRCULATION OF A 60% DIRECT PETITION TO ANNEX SPECIFYING THAT SIGNERS SUPPORT FUTURE ZONING CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN LAND USE DESIGNATION FOR THE AREA AND THAT SIGNERS WILL NOT BE REQUIRED TO ASSUME THEIR PROPORTIONAL SHARE OF THE CITY'S EXISTING OUTSTANDING INDEBTEDNESS. CARRIED.

Annexation: Sierra Heights
Elementary School, Union Ave
NE & NE 25th Pl

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Law opened the public meeting to consider the 10% Notice of Intent to Annex petition for the proposed Sierra Heights Elementary School Annexation; 15.4 acres, located in the vicinity of Union Ave. NE and NE 25th Pl.

Ms. Mathias reported that the annexation site is within the City's potential annexation area, and it contains steep slopes, one elementary school, and no environmental constraints. She stated that public services are currently provided by Fire District #25, Renton water and sewer service, and the Renton School District.

Reviewing the site's zoning, Ms. Mathias stated that the existing King County zoning is R-6 (six dwelling units per gross acre). She stated that the City's Comprehensive Plan designates the site as Residential Low Density and is eligible for three possible low density residential zones: Resource Conservation (one dwelling unit per net 10 acres), R-1 (one dwelling unit per net acre), or R-4 (four dwelling units per net acre). She noted that additional hearings will be held in the future to determine zoning for the site.

Ms. Mathias reported that the proposed annexation is generally consistent with City annexation policies and Boundary Review Board objectives. Regarding the fiscal impact analysis, she stated that there are no anticipated costs associated with this annexation. Regarding department comments, Ms. Mathias indicated that there may be a need for occasional police response at the school, but the Police Department would not need to hire additional full-time employees.

Public comment was invited. There being none, it was MOVED BY CORMAN, SECONDED BY ZWICKER, COUNCIL CLOSE THE PUBLIC MEETING. CARRIED.

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL APPROVE THE REQUEST TO WAIVE THE ANNEXATION FEE, ACCEPT THE 10% NOTICE OF INTENT PETITION FOR THE SIERRA HEIGHTS ELEMENTARY SCHOOL ANNEXATION AND AUTHORIZE THE CIRCULATION OF A 60% DIRECT PETITION TO ANNEX SPECIFYING THAT SIGNERS SUPPORT FUTURE ZONING CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN LAND USE DESIGNATION FOR THE AREA AND THAT SIGNERS WILL NOT BE REQUIRED TO ASSUME THEIR PROPORTIONAL SHARE OF THE CITY'S EXISTING OUTSTANDING INDEBTEDNESS. CARRIED.

PUBLIC HEARING

Planning: Land Use Fee
Schedule Revision

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Law opened the public hearing to consider revising the Land Use Fee Schedule.

Community and Economic Development Administrator Alex Pietsch introduced Senior Planner Laureen Nicolay. Ms. Nicolay stated that the City's fees for land use permits were recently evaluated and assessed for the first time in many years. She noted that comparisons made with other area jurisdictions related only to land use permit fees, such as variances, shoreline permits, and short plats, and that fee revisions are not proposed for building fees or public works fees.

Ms. Nicolay stated that the cities included in the evaluation were Auburn, Bellevue, Federal Way, Issaquah, Kent, Redmond, Seattle, and Tukwila. Finding that the City of Renton charges considerably less than the peer cities, she recommended that the proposed fee revisions be adopted to more adequately compensate for actual processing costs. Ms. Nicolay stated that the proposed increases are approximately 80 percent of the average fee the peer cities charge for similar services. She cited the following examples: 1) the Short Plat fee would increase from \$1,000 to \$1,400, 2) the Preliminary Plat fee would increase from \$2,000 to \$4,000, and 3) the Shoreline Permit fee would increase from \$1,000 to \$2,000, among other changes.

Concluding, Ms. Nicolay remarked that no other peer city is charging a significant amount for annexation fees, and therefore recommended that the City's annexation fee be eliminated.

Public comment was invited.

Inez Petersen (Renton) opined that it was not a good enough reason to raise fees just because other jurisdictions charge more for the same services. She noted that Washington is ranked the 8th highest taxing state.

MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

MOVED BY PARKER, SECONDED BY PALMER, COUNCIL REFER THIS TOPIC (LAND USE FEE SCHEDULE REVISION) TO THE PLANNING AND DEVELOPMENT COMMITTEE. CARRIED.

ADMINISTRATIVE REPORT

Chief Administrative Officer Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2009 and beyond. Item noted included:

- ✱ The runway resurfacing project at the Renton Municipal Airport is currently underway and on schedule.

AUDIENCE COMMENT

Citizen Comment: Flynn -
Renton Channel 21 Availability
in Benson Hill Area

Jim Flynn (Renton) inquired about the status of an area within the Benson Hill annexation area where access to Renton Channel 21 is still unavailable from Comcast. He stated that he conducted an informal survey in an attempt to determine the size of the pocketed area that is not receiving the channel and submitted the survey results to the City Clerk. Mr. Flynn requested that the City ask Comcast to comply with the franchise terms. Mayor Law remarked that the matter will be reviewed.

CONSENT AGENDA

Items listed on the consent agenda are adopted by one motion which follows the listing. Mayor Law removed Item 8.i. from consideration for further administrative review. At the request of Councilmember Persson, Item 8.m. was removed for separate consideration.

Council Meeting Minutes of 7/20/2009

Approval of Council meeting minutes of 7/20/2009. Council concur.

CAG: 09-125, Rainier Ave S (SR 167) Improvements Project, Phase I - Shattuck Ave S Stormwater Bypass, Pivetta Brothers Construction

City Clerk reported bid opening on 7/17/2009 for CAG-09-125, Rainier Ave. S. (SR 167) Improvements Project, Phase I - Shattuck Ave. S. Stormwater Bypass; 11 bids; engineer's estimate \$1,646,996.35; and submitted staff recommendation to award the contract to the low bidder, Pivetta Brothers Construction, Inc., in the amount of \$1,450,608.98. Council Concur.

City Clerk: Quarterly Contract List, 4/1/2009 to 6/30/2009

City Clerk submitted quarterly contract list for period of 4/1/2009 through 6/30/2009 and expiration report for agreements expiring 7/1/2009 to 12/31/2009. Information.

City Clerk: 2009 Renton Population

City Clerk reported the official population of the City of Renton as of 4/1/2009 to be 83,650 as calculated by the State of Washington Office of Financial Management. Information.

Court Case: EvergreenBank, Foreclosure of Property on Rainier Ave N

Court Case filed by EvergreenBank, represented by Michael D. Bohannon, Attorney, regarding foreclosure of property located on Rainier Ave. N. Refer to City Attorney and Insurance Services.

Annexation: Earlington, 80th Ave S & S 134th St

Community and Economic Development Department recommended a public hearing be set on 8/17/2009 to consider the proposed Earlington Annexation and zoning of approximately 100.81 acres located east of 80th Ave. S. and north of S. 134th St. Council concur.

CED: Legislative Consulting Services, Doug Levy

Community and Economic Development Department recommended approval of a contract in the amount of \$51,800 with Doug Levy for legislative consulting services for 2009-2010. Refer to Finance Committee.

Community Services: High School Golf Course Team Fee Waivers

Community Services Department recommended waiving the 2009-2010 high school golf team fees in the amount of \$13,895 for Renton, Hazen, and Lindbergh High Schools in exchange for golf course maintenance services. Refer to Finance Committee.

~~CAG: 08-132, City Hall Human Resources Office Remodel, Straightline Construction~~

~~Community Services Department submitted CAG-08-132, City Hall Human Resources Office Remodel; and requested approval of the project, authorization for final pay estimate in the amount of \$104,50, commencement of a 60-day lien period, and release of retained amount of \$9,173.70 to the Washington State Department of Revenue per Notice and Order to Withhold and Deliver, on behalf of Straightline Construction & Remodeling, LLC, contractor, if all required releases are obtained. Council concur.~~

Lease: LSI Logic Corporation, 200 Mill Bldg (3rd Floor), LAG-00-002

Community Services Department recommended approval of an amendment to the lease with LSI Logic Corporation (LAG-00-002) for the 3rd floor of the 200 Mill Building to reduce their amount of leased space and extend the lease on a month-to-month basis. Expenditure required: \$1,800. Refer to Finance Committee.

Development Services:
Thomas Miller Short Plat,
ROW Dedication, S 35th St &
Cedar Ave S, SHP-08-149

Development Services Division recommended acceptance of a deed of dedication for additional right-of-way along S. 35th St. and Cedar Ave. S. to fulfill a requirement of the Thomas Miller Short Plat (SHP-08-149). Council concur.

Finance: Valley Cities
Association, Broadband
Technology Opportunities
Program

Finance and Information Services Department recommended adoption of a resolution endorsing the efforts of the Valley Cities Association and authorizing application for federal grant funding in the amount of \$4.5 million from the Broadband Technology Opportunities Program. Refer to Finance Committee.

Transportation: Speed Limit
Revisions

Transportation Systems Division recommended revising speed limits on Benson Dr. S., 108th Ave. SE, Edmonds Ave. SE, SE 116th St., and Duvall Ave. NE. Refer to Transportation (Aviation) Committee.

Utilities: SCADA System, Reid
Instruments

Utilities Division recommended approval of a contract in the amount of \$40,000 with Reid Instruments to program and test the supervisory, control and data acquisition (SCADA) system. Council concur.

Utility: Additional Waterline
Cost Sharing, Pacific Heights
Townhomes, Matt Poole

Utility Systems Division submitted request by Matt Poole, Pacific Heights Townhomes, for reimbursement in the amount of \$16,176.76 for installing additional waterline at 825 Sunset Blvd. NE, at the City's request. Council concur.

MOVED BY CORMAN, SECONDED BY PALMER, COUNCIL APPROVE THE
CONSENT AGENDA MINUS AGENDA ITEMS 8.i. and 8.m. CARRIED.

**Separate Consideration Item
8.m.**

Human Resources: 2009
Group Health Cooperative
Medical Coverage Contracts

Human Resources and Risk Management Department recommended approval of the 2009 Group Health Cooperative medical coverage contracts for LEOFF I Retirees and all active employees. Refer to Finance Committee.

MOVED BY PERSSON, SECONDED BY CORMAN, COUNCIL APPROVE THE 2009
GROUP HEALTH COOPERATIVE MEDICAL COVERAGE CONTRACTS FOR LEOFF I
RETIREEES AND ALL ACTIVE EMPLOYEES. CARRIED.

**UNFINISHED BUSINESS
Utilities Committee**

Utility: NPDES Phase II Permit
Update

Utilities Committee Chair Zwicker presented a report recommending concurrence in the staff recommendation to approve the ordinance amending RMC-4-6-030 to regulate illicit discharges and connections to the City's municipal separate storm sewer system, surface water and groundwater resources. The Committee further recommended that the ordinance be presented for first and second reading. MOVED BY ZWICKER, SECONDED BY PARKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance Committee
Finance: Vouchers

Finance Committee Chair Persson presented a report recommending approval of Claim Vouchers 285053 - 285388 and two wire transfers totaling \$7,745,055.89; and approval of 305 Payroll Vouchers, one wire transfer, and 845 direct deposits totaling \$2,882,419.70. MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**RESOLUTIONS AND
ORDINANCES**

Utility: NPDES Phase II Permit
Update

The following ordinance was presented for first reading and advanced for second and final reading and adoption:

An ordinance was read amending Chapter 3, Remedies and Penalties, of Title I (Administrative); Chapter 6, Street and Utility Standards; and Chapter 11, Definitions, of Title IV (Development Regulations), of City Code, to provide for public education and regulation of illicit stormwater discharge, its detection and elimination, adoption of the Stormwater Pollution Prevention Manual, adding definitions for "Best Management Practices (BMPs)," "Illicit

Connection," "Illicit Discharge," "MS4," "Municipal Separate Storm Sewer System," "National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit," "NPDES," "POTW" and "Publicly Owned Treatment Works," amending the statement of legislative purpose, providing that violations thereof shall be an infraction and repeat violations a misdemeanor, declaring illicit connections and illicit discharge of stormwater and for abatement thereof, and providing a right of appeal from administrative decisions. MOVED BY ZWICKER, SECONDED BY CORMAN, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

ORDINANCE #5478

Utility: NPDES Phase II Permit Update

Following second and final reading of the above referenced ordinance, it was MOVED BY ZWICKER, SECONDED BY CORMAN, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

The following ordinances were presented for second and final reading and adoption:

ORDINANCE #5479

Library: Annexation to King County Library System

An ordinance was read stating the City of Renton's intent to join the King County Library System. MOVED BY PARKER, SECONDED BY TAYLOR, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. SIX AYES: CORMAN, TAYLOR, ZWICKER, BRIERE, PARKER, PERSSON. ONE NAY: PALMER. CARRIED.

NEW BUSINESS

Streets: Portable Tow-Away Signs Placed by Contractors

MOVED BY PERSSON, SECONDED BY PALMER, COUNCIL REFER THE TOPIC OF (PORTABLE) TOW-AWAY SIGNS PLACED BY CONTRACTORS ON CITY STREETS TO THE TRANSPORTATION (AVIATION) COMMITTEE. CARRIED.

Community Services:
"Footloose" Teen Musical

Councilmember Palmer announced that the last three days of performances of the annual teen musical "Footloose" will occur on 8/7/2009 and 8/8/2009 at 7:30 p.m., and 8/9/2009 at 2:00 p.m. at Carco Theatre.

AUDIENCE COMMENT

Citizen Comment: Petersen - Street Maintenance Priorities

Inez Petersen (Renton) commented on the City's priorities for street maintenance, noting that a lot of money has been spent for repairs at the Renton Municipal Airport while millions of dollars in repairs are needed for City streets. She remarked that Lake Washington Blvd N. has never been repaved and that she broke her leg after slipping on the road in 2007. Councilmember Palmer clarified that 95 percent of the funding for projects like the resurfacing of the runway at the airport is granted by the Federal Aviation Administration.

ADJOURNMENT

MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL ADJOURN. CARRIED.
Time: 7:38 p.m.

Bonnie I. Walton, CMC, City Clerk

Jason Seth, Recorder
August 3, 2009